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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Mark Thompson

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EXAMINER

BURGESS, BARBARA N

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/032,796	Applicant(s) THOMPSON ET AL.	
	Examiner Barbara N. Burgess	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to amendments filed November 10, 2005. Claims 1-16 are presented for further examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klingman (hereinafter "Kling", US Patent 5,799,285) in view of Bishop et al. (hereinafter "Bishop", US Patent Publication 2006/0012473 A1).

As per claim 1, Kling discloses a method for auditing forms, the method comprising:

- Issuing a request to provide a form identifier that is associated with a form (column 7, lines 3-8, 12-15, column 10, lines 44-49);
- Receiving the identifier at a host computer (column 6, lines 49-53, column 7, lines 10-21);
- Verifying with the host computer whether the identifier is a valid identifier for the form being used (column 9, lines 24-28, column 10, lines 49-56).

Kling does not explicitly disclose:

- Logging an error if the identifier is not valid.

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However, in an analogous art, Bishop discloses if the identifier entered by the user is invalid, an "invalid" or "transaction invalid" message is sent to the user (paragraphs [0053-0055, 0066]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Bishop's logging an error if the identifier is not valid in Kling's method in order to lessen the loss associated with fraudulent usage.

As per claim 2, Kling does not explicitly disclose a method as in claim 1, wherein the request is issued from a terminal having a processor that is in communication with the host computer, and further comprising logging an error if the identifier is not valid.

However, in an analogous art, Bishop discloses if the identifier entered by the user is invalid, an "invalid" or "transaction invalid" message is sent to the user (paragraphs [0053-0055, 0066]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Bishop's logging an error if the identifier is not valid in Kling's method in order to lessen the loss associated with fraudulent usage.

As per claim 3, Kling discloses a method as in claim 2, wherein the request is sent from the host computer to the terminal (column 7, lines 12-15).

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As per claim 4, Kling discloses a method as in claim 1, where the request is issued from a customer service operator over a phone (column 9, lines 10-25).

As per claim 5, Kling discloses a method as in claim 2, wherein the identifier is received at the host computer from the terminal (column 9, lines 9-20).

As per claim 6, Kling discloses a method as in claim 1, wherein the host computer includes an associated database, and wherein the identifier is verified by comparing the identifier with a list of valid identifiers in the database (column 9, lines 47-60).

As per claim 7, Kling discloses a method as in claim 1, further comprising determining whether an appropriate form has already been ordered (column 10, lines 47-56).

As per claim 8, Kling discloses a method as in claim 7, wherein if an appropriate form has not been ordered, placing an order for an appropriate form (column 10, lines 55-65).

As per claim 9, Kling discloses a method as in claim 8, further comprising evaluating whether the ordered form is received by a user (column 9, lines 8-20).

As per claim 10, Kling discloses a method as in claim 9, further comprising transmitting an identifier for a replacement form to the host computer (column 7, lines 48-55).

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As per claims 11 and 16, Kling discloses a forms auditing system, comprising:

- A host computer (column 6, lines 49-53, column 7, lines 10-21);
- A database associated with the host computer, the database having a record of a set of forms and a valid identifier for each of the forms (column 9, lines 47-60);
- Wherein the host computer is configured to receive an identifier in response to a request to audit a form, and to verify whether the identifier is a valid identifier for the audited form by comparing the identifier with the identifiers in the database, and to produce a record in the database of the comparison (column 9, lines 24-28, column 10, lines 49-56).

As per claim 12, Kling discloses a system as in claim 11, further comprising a terminal having a processor, wherein the terminal is configured to receive the identifier of the form being audited and to electronically send the identifier to the host computer (column 15, lines 46-58).

As per claim 13, Kling discloses a system as in claim 12, wherein the terminal is configured to produce an audit screen having a region for inputting the identifier (column 16, lines 3-15).

As per claim 14, Kling discloses a system as in claim 13, wherein the terminal is configured to produce the audit screen based on information sent to the terminal from the host computer (column 16, lines 25-50).

As per claim 15, Kling does not explicitly disclose a system as in claim 11, wherein the host computer is configured to generate an error report if the identifier of the form being audited is not Valid.

However, in an analogous art, Bishop discloses if the identifier entered by the user is invalid, an "invalid" or "transaction invalid" message is sent to the user (paragraphs [0053-0055, 0066]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Bishop's logging an error if the identifier is not valid in Kling's method in order to lessen the loss associated with fraudulent usage.

Response to Arguments

1. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

February 1, 2006


ARIO ETIENNE
PRIMARY EXAMINER